

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
WESTERN DIVISION

FILED
SOUTHERN DISTRICT OF IOWA
01 NOV -2 PM 2:30

JOHN LINEK, INC.,)
) Civil No. 1:00-cv-30010
Plaintiff,)
)
vs.)
)
SYSTEM TRANSPORT, INC.,)
and KELLY D. BUECHNER,) SPECIAL VERDICT FORM
)
Defendants.)
)
KELLY D. BUECHNER and KIM)
BUECHNER and SYSTEM TRANSPORT,)
INC.,)
)
Counterclaimants,)
)
vs.)
)
JOHN LINEK, INC.,)
)
Counterdefendant.)

We, the jury, find the following verdict on the questions
submitted to us:

Question No. 1: Was Kelly Buechner at fault?

Answer "yes" or "no."

ANSWER: yes

[If your answer is "yes," answer Question No. 2. If your answer is
"no," do not answer Question No. 2 and proceed to answer Question
No. 3.]

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Question No. 2: Was Kelly Buechner's fault a proximate cause of the collision and resulting damages?

Answer "yes" or "no."

ANSWER: yes

[Answer the next question.]

Question No. 3: Was Roman Szostka at fault?

Answer "yes" or "no."

ANSWER: yes

[If your answer is "yes," answer Question No. 4. If your answer is "no," your verdict is complete and you should answer no further questions. The foreperson should sign and date the verdict form.]

Question No. 4: Was Roman Szostka's fault a proximate cause of the collision and resulting damages?

Answer "yes" or "no."

ANSWER: yes

[Answer the next question if you answered "yes" to Question Nos. 1, 2, 3 and 4. If you have answered either Question No. 3 or No. 4 "no," your verdict is complete and you should answer no more questions. The foreperson should sign and date the verdict form. If you answered both Question No. 3 and No. 4 "yes" and either Question No. 1 or No. 2 "no," proceed to Question No. 6.]

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Question No. 5: Using 100% as the total combined fault of Kelly Buechner and Roman Szostka which was a proximate cause of the collision and resulting damages, what percentage of total fault do you assign to each driver?

ANSWER:	Roman Szostka	<u>58</u> %
	Kelly Buechner	<u>42</u> %
	Total	100%

[Answer Question Nos. 6, 7 and 8 only if you have found Roman Szostka 50% or more at fault. If you have found Roman Szostka less than 50% at fault answer no more questions. Your verdict is complete. The foreperson should sign and date the verdict form.]

Question No. 6: State the amount of damages sustained by Kelly Buechner and caused by the collision. If you find no damages for an item, enter "0".

ANSWER:	Past medical expenses	\$ <u>478,195.71</u>
	Past lost wages	\$ <u>72,000.00</u>
	Present value of loss of future earning capacity	\$ <u>356,000.00</u>
	Past loss of body function	\$ <u>500,000.00</u>
	Present value of loss of future body function	\$ <u>250,000.00</u>
	Past pain and suffering	\$ <u>1,000,000.00</u>
	Present value of future pain and suffering	\$ <u>750,000.00</u>
	Total	\$ <u>3,406,195.71</u>

[Answer the next question.]

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QUESTION NO. 7: Is Kim Buechner, as spouse of Kelly Buechner, entitled to damages for loss of spousal consortium?

Answer "yes" or "no."

ANSWER: NO

[If your answer to Question No. 7 is "no," then do not answer Question No. 8.]

QUESTION NO. 8: What amount of damages do you find, if any, were sustained by Kim Buechner for loss of spousal consortium caused by the injuries to Kelly Buechner? If you find no damages for an item enter "0".

ANSWER:

Past lost spousal consortium \$ _____

Future loss of spousal consortium \$ _____

Total \$ _____

John Jeffrey D. Wier
FOREPERSON

Nov. 2, 01 2:20 pm
DATE AND TIME